

11/16/01  
11132 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

11011 U.S. PTO  
09/988019  
11/16/01

**Box PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a [ ] continuation [X] divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/275,417 filed on March 24, 1999, for CONSERVED METALLOPROTESE EPITOPES, by the following named inventor(s):

- (a) Full Name Pamela A. SOKOL
- (b) Full Name Cora D. KOOI
- (c) Full Name \_\_\_\_\_

[ ] Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

[X] The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

[ ] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

[ ] This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_



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- ☐ Applicant(s) suggests Figure \_ for inclusion on the front page of the patent application publication and/or patent.
1. ☒ Enclosed is a copy of the prior Application No. 09/275,417 as originally filed on March 24, 1999, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☒ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$740.00 (101)
Total Claims	2	MINUS 20 =	-0-	× \$18.00 (103) =	-0-
Independent Claims	2	MINUS 3 =	-0-	× \$84.00 (102) =	-0-
If multiple dependent claims are presented, add \$280.00 (104)					
Total Application Fee					\$740.00
If small entity status is claimed, subtract 50% of Total Application Fee					\$370.00
Add Assignment Recording Fee of \$_ if Assignment document is enclosed					
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$370.00</b>

5. ☒ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☒ Cancel in this application original claims 2-24 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☐ New drawings are enclosed.
8. ☐ Priority of Application No. \_ filed on \_ in \_ (country) is claimed under 35 U.S.C. § 119.



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☐ The certified copy of the priority application

☐ is enclosed.

☐ was filed on \_\_ in prior Application No. \_\_, filed on \_\_, and acknowledged by the Examiner on \_\_ in Paper No. \_\_.

☐ has not yet been filed.

9. ☒ Please amend the specification by inserting before the first line the sentence:

☒ --This application is a ☐ continuation ☒ divisional of Application Serial No. 09/275,417, filed on March 24, 1999, which is a divisional of Application Serial No. 08/772,282, filed on December 20, 1996 .--.

☐ --This application is a ☐ continuation ☐ divisional of U.S. Application No. \_\_, filed on \_\_, which was a national stage filing under 35 U.S.C. § 371 of International Application No. \_\_ filed on \_\_, which International Application ☐ was ☐ was not published by the International Bureau in English on \_\_.--.

☐ --This application is a ☐ continuation ☐ divisional of U.S. Application No. \_\_, filed on \_\_, which was a continuation of International Application No. \_\_, filed on \_\_, which International Application ☐ was ☐ was not published by the International Bureau in English on \_\_.--.

10. ☒ A Preliminary Amendment is enclosed.

11. ☐ An Information Disclosure Statement is enclosed.

12. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

13. ☒ Also enclosed are an Abstract, a Request To Use Computer Readable Form From Parent Application Pursuant to 37 C.F.R. § 1.821(e), a Paper Copy of the Sequence Listing, and a Declaration Pursuant to 37 C.F.R. §§ 1.821-.825.

14. ☒ The power of attorney in the prior application is to Teresa Stanek Rea and other attorneys of the law firm Burns, Doane, Swecker & Mathis, L.L.P..

a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Recognize as Associate Attorney Susan M. Dadio, Reg. No. 40,373.



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- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Teresa Stanek Rea  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Date: November 16, 2001

By: *Teresa Stanek Rea* *Reg. No. 40,373*  
Teresa Stanek Rea  
Registration No. 30,427

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37 C.F.R. § 1.34(a)



21839

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Pamela A. SOKOL et al.	)	
	)	
Application No.: Divisional of Application	)	Group Art Unit: Unassigned
Serial No. 09/275,417	)	
	)	
Filed: November 16, 2001	)	Examiner: Unassigned
	)	
For: CONSERVED METALLOPROTESE	)	
EPITOPES	)	

**REQUEST TO USE COMPUTER READABLE FORM FROM PARENT**  
**APPLICATION PURSUANT TO 37 C.F.R. § 1.821(e)**

**BOX: SEQUENCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The computer readable form in the above-identified application is identical with that filed in grandparent application Serial No. 08/772,282, filed December 20, 1996. In accordance with 37 C.F.R. § 1.821(e), applicants respectfully request that the computer-readable form filed in grandparent application Serial No. 08/772,282, be used as the computer readable form for the instant application. It is understood that the United States Patent and Trademark Office will make the necessary changes in application number and filing date for the computer readable form that will be used for the instant application. A

Divisional of Application Serial No. 09/275,417

Attorney's Docket No. 024916-010

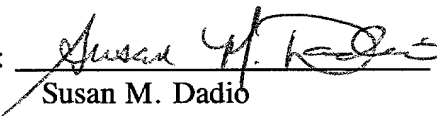
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paper copy of the Sequence Listing is included in a concurrently filed Preliminary

Amendment for incorporation into the specification.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Susan M. Dadio  
Registration No. 40,373

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Dated: November 16, 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
 )  
Pamela A. SOKOL et al. )  
 )  
Application No.: Divisional of Application ) Group Art Unit: Unassigned  
Serial No. 09/275,417 )  
 )  
Filed: November 16, 2001 ) Examiner: Unassigned  
 )  
For: CONSERVED METALLOPROTESE )  
EPITOPES )

**DECLARATION PURSUANT TO 37 C.F.R. §§ 1.821-1.825**

**BOX: SEQUENCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Susan M. Dadio, declare as follows:

1. That, in compliance with 37 C.F.R. § 1.821(f), the content of the paper copy of the Sequence Listing included in the concurrently filed Preliminary Amendment for incorporation into the specification, and the content of the computer readable copy of the Sequence Listing filed in grandparent application Serial No. 08/772,282, filed on December 20, 1996, are the same.
2. That the submission, filed in accordance with 37 C.F.R. § 1.821(g), does not include new matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued.

November 16, 2001

Date

  
Susan M. Dadio

Reg. No. 40,373